

TO: <b>Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450</b>	<b>REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK</b>
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been  
filed in the U.S. District Court Central District of California **2006 JUL 31 AM 11:41** following ☒ Patents or ☐ Trademarks:

DOCKET NO. <b>CV08-4751</b>		DATE FILED <b>2006 JUL 31 AM 11:41</b>	CLERK'S OFFICE <b>CAS PL</b>	U.S. DISTRICT COURT Central District of California
PLAINTIFF <b>MAG INSTRUMENT, INC.</b>			DEFENDANT <b>KOEHLER-BRIGHT STAR, INC. and DOES 1-10</b>	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK		
1 RE 38,014	3/4/03	Mag Instrument, Inc.		
2 6,905,223	6/14/05	Mag Instrument, Inc.		
3				
4				
5				

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading		
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
1			
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT
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CLERK <b>SHERRI R. CARTER</b>	(BY) DEPUTY CLERK <b>JENNY M. PHAN</b>	DATE <b>6/20/07</b>
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Copy 1—Upon initiation of action, mail this copy to Director    Copy 3— Upon termination of action, mail this copy to Director  
Copy 2—Upon filing document adding patent(s), mail this copy to Director    Copy 4— Case file copy

LODGED

ORIGINAL

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16 KOEHLER-BRIGHT STAR, INC.

THIS CONSTITUTES NOTICE OF ENTRY  
AS REQUIRED BY FRCP, RULE 77(d).

17 UNITED STATES DISTRICT COURT  
18 CENTRAL DISTRICT OF CALIFORNIA  
19

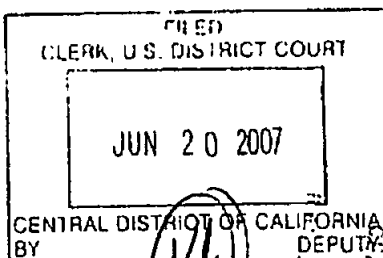
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21 MAG INSTRUMENT, INC.,

22 Plaintiff,

23 v.

24 KOEHLER-BRIGHT STAR, INC.  
and DOES 1-10,

25 Defendants.  
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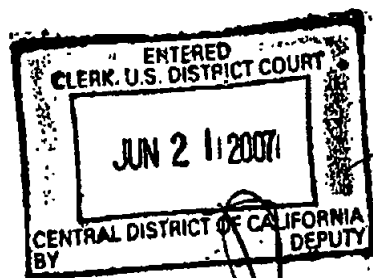


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Case No. CV 06-4751 CAS (PLAx)

CONSENT JUDGMENT AND  
PERMANENT INJUNCTION

Hon. Christina A. Snyder



1 WHEREAS plaintiff and counterdefendant Mag Instrument, Inc. ("Mag  
2 Instrument") and defendant and counterclaimant Koehler-Bright Star, Inc.  
3 ("Koehler-Bright Star") have agreed in a separate agreement to settlement of the  
4 matters in issue between them and to entry of this Consent Judgment and  
5 Permanent Injunction, it is hereby ORDERED, ADJUDGED, AND DECREED  
6 THAT:

7 1. This is an action for patent infringement, arising under the patent laws  
8 of the United States, Title 35, United States Code.

9 2. This Court has jurisdiction over all of the parties in this action and  
10 over the subject matter at issue based on 28 U.S.C. §§1331 and 1338. This Court  
11 further has continuing jurisdiction to enforce the terms and provisions of this  
12 Consent Judgment and Permanent Injunction. Venue is also proper in this Court  
13 pursuant to 28 U.S.C. §1391, as well as 28 U.S.C. §1400(b).

14 3. Mag Instrument is a corporation incorporated under the laws of the  
15 State of California and has its principal place of business at 2001 South Hellman  
16 Avenue, Ontario, California 91761.

17 4. Koehler-Bright Star is a corporation incorporated under the laws of the  
18 State of Delaware and has its principal place of business at 380 Stewart Road,  
19 Wilkes-Barre, Pennsylvania 18706.

20 5. Koehler-Bright Star has manufactured, used, offered for sale, and/or  
21 sold certain RESPONDER 4AA flashlights. A digital photograph of a  
22 RESPONDER 4AA flashlight is attached hereto as **Exhibit 1**. The RESPONDER  
23 4AA flashlights were neither manufactured nor authorized by Mag Instrument.

24 6. Koehler-Bright Star has also manufactured, used, offered for sale,  
25 and/or sold certain RESPONDER 4AA headlamps. A digital photograph of a  
26 RESPONDER 4AA headlamp is attached hereto as **Exhibit 2**. The RESPONDER  
27 4AA headlamps were neither manufactured nor authorized by Mag Instrument.  
28

1           7.     Mag Instrument is, by assignment, the owner of all right, title, and  
2 interest in United States Patent No. 6,905,223 ("the '223 patent"). A copy of the  
3 '223 patent is attached hereto as **Exhibit 3**.

4           8.     The '223 patent, issued on June 14, 2005, is valid and enforceable, and  
5 has been infringed by Koehler-Bright Star's manufacture, use, offer for sale, and/or  
6 sale of the RESPONDER 4AA flashlights and RESPONDER 4AA headlamps.  
7 Koehler-Bright Star will not directly or indirectly aid, assign, or participate in any  
8 action contesting the validity or enforceability of the '223 patent.

9           9.     Mag Instrument is, by assignment, the owner of all right, title, and  
10 interest in United States Patent No. RE 38,014 ("the '014 patent"). A copy of the  
11 '014 patent is attached hereto as **Exhibit 4**.

12          10.    The '014 patent, issued on March 4, 2003, was (prior to its expiration)  
13 valid and enforceable, and was infringed by Koehler-Bright Star's manufacture, use,  
14 offer for sale, and/or sale of the RESPONDER 4AA flashlights. Koehler-Bright  
15 Star will not directly or indirectly aid, assign, or participate in any action contesting  
16 the validity or enforceability of the '014 patent.

17          11.    Koehler-Bright Star, its officers, directors, agents, servants,  
18 employees, attorneys, confederates, and all persons and/or entities acting for, with,  
19 by, through, and/or in concert and participation with them or any of them, are  
20 hereby permanently enjoined from engaging in any of the following activities:

21               (a) manufacturing, using, importing, offering for sale, and/or selling  
22 any lighting product that infringes the '223 patent except, until December 31, 2009,  
23 the RESPONDER 4AA flashlights and RESPONDER 4AA headlamps; and

24               (b) inducing or enabling each other or others to manufacture, use,  
25 import, offer to sell, and/or sell any lighting product that infringes the '223 patent  
26 except, until December 31, 2009, the RESPONDER 4AA flashlights and  
27 RESPONDER 4AA headlamps.

1 12. Service by mail upon Koehler-Bright Star, addressed to Monica L.  
2 Thompson, DLA PIPER US LLP, 203 North LaSalle Street, Suite 1900, Chicago,  
3 Illinois 60601, of a copy of this Consent Judgment and Permanent Injunction  
4 entered by the Court is deemed sufficient notice under Federal Rule of Civil  
5 Procedure 65. It shall not be necessary for Koehler-Bright Star to sign any form of  
6 acknowledgement of service.

7 13. Koehler-Bright Star dismisses its Counterclaim against Mag  
8 Instrument, with prejudice.

9 14. The parties shall bear their own attorneys' fees and costs.  
10

11 **IT IS SO ORDERED:**  
12

13 Dated: June 19, 2007  
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15 By: Christina A. Snyder  
16 Hon. Christina A. Snyder  
17 United States District Court Judge  
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1 Approved as to form and content:

2

3 Dated: June 19, 2007

JONES DAY

4

5

By: Charles A. Kertell  
Charles A. Kertell

6

Attorneys for Plaintiff and Counterdefendant  
MAG INSTRUMENT, INC.

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9 Dated: May 28, 2007

DLA PIPER US LLP

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By: Monica L. Thompson  
Monica L. Thompson

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Attorneys for Defendant and Counterclaimant  
KOEHLER-BRIGHT STAR, INC.

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SCANNED

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

NV Security Inc

PLAINTIFF(S),

v.

Fluke Networks Inc et al

DEFENDANT(S),

CASE NUMBER

CV 05-4217 SJO (SSx)

NOTICE OF CLERICAL ERROR

TO: U. S. District Judge(s)  
U. S. Magistrate Judge(s)  
Counsel of Record

You are hereby notified that due to a clerical error ☐ documents associated with the filing of the new action ☐ the following scanned document ☒ docket entry have/has been corrected as indicated below.

Title of Scanned Document: \_\_\_\_\_

Filed Date: \_\_\_\_\_ Document Number: \_\_\_\_\_

- ☐ Incorrect case number \_\_\_\_\_ was assigned to this ☐ action ☐ document.
- ☐ Case number has been corrected. The correct case number is \_\_\_\_\_
- ☐ Incorrect judge's initials were indicated on this ☐ action ☐ document. The correct judge's initials are \_\_\_\_\_
- ☐ Incorrect magistrate judge's initials were indicated on this ☐ action ☐ document. The correct magistrate judge's initials are \_\_\_\_\_
- ☐ Case has been reassigned from ☐ Judge ☐ Magistrate Judge \_\_\_\_\_ to ☐ Judge ☐ Magistrate Judge \_\_\_\_\_. The initials of the new judge(s) are \_\_\_\_\_
- ☐ Case was assigned to ☐ Western ☐ Southern ☐ Eastern division. Pursuant to General Order ☐ 349, ☐ 98-3 ☐ 02-06, the case has been reassigned to the ☐ Western ☐ Southern ☐ Eastern division. The former case number \_\_\_\_\_ has been reassigned to new case number \_\_\_\_\_
- ☐ Subsequent documents must be filed at the ☐ Western ☐ Southern ☐ Eastern division. Failure to file at the proper location will result in your documents being returned to you.
- ☐ Case title is corrected from \_\_\_\_\_ to \_\_\_\_\_
- ☐ Document has been re-numbered as document number \_\_\_\_\_
- ☐ Incorrect ☐ Filed Date ☐ Date of Document ☐ ENTERED Date ☐ DATE ENTERED ON CM/ICMS was stamped on document. The correct date is \_\_\_\_\_
- ☐ Document is missing page number(s): \_\_\_\_\_
- ☐ To ensure proper routing of documents, all documents filed with the court must reflect the following case number and judge's initials: \_\_\_\_\_
- ☒ Other: Docket #58 - Joint Report Rule 26(f) Discovery Plan was docketed under this case an error; it should be docket under case number CV 06-8175.

CLERK, U.S. DISTRICT COURT

Date July 10, 2007

By: J. Lam  
Deputy Clerk

cc: Intake Supervisor / Deputy In Charge